

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MANILA

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E.O. 11652: N/A

TAGS: PFOR, RP

SUBJECT: UNITED STATES V. LECHOCO

1. ON MONDAY, JUNE 16, 1975 THE JURY WAS ENPANELLED IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA TO TRY NAPOLEON LECHOCO. THE JURY CONSISTED OF TEN WOMEN AND TWO MEN. DEFENSE COUNSEL STEIN, THROUGH THE EXERCISE OF PEREMPTORY STRIKE, WAS ABLE TO ACHIEVE A PREDOMINANTLY FEMALE, ALL BLACK JURY TO ENGENDER GREATEST POSSIBILITY FOR SYMPATHY AND SUBTILELY INJECT THE RACE ISSUE.
 2. ASSISTANT U.S. ATTORNEY COLLINS' OPENING STATEMENT PROVIDED NARRATIVE OF THE INCIDENT AND DESCRIBED THE NATURE AND DIMENSION OF HIS CASE. DEFENSE COUNSEL STEIN BRIEFLY ADVISED THE JURY THAT IT WAS NOT HIS INTENTION TO DISPUTE THE FACTS IN THE FIRST PHASE OF THE TRIAL. HOWEVER, HE STATED THAT HE WOULD PUT ON A VIGOROUS CASE DURING THE SECOND PHASE TO SHOW THAT NAPOLEON LECHOCO WAS TEMPORARILY INSANE AND THEREBY NOT RESPONSIBLE FOR HIS ACTIONS.
 3. AMBASSADOR ROMUALDEZ TOOK THE STAND AT 10 AM JUNE 17
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- AS THE LEAD-OFF WITNESS FOR THE GOVERNMENT. HE TESTIFIED

FOR APPROXIMATELY TWO HOURS, VERY CLEARLY DESCRIBING THE

THE EVENTS OF NOVEMBER 18-19, 1974. IT WAS EVERYONE'S GENERAL IMPRESSION THAT HE MADE AN EXCELLENT WITNESS AND OBVIOUSLY GAINED THE SYMPATHY OF THE JURY. HE WAS BRIEFLY CROSS-EXAMINED BY STEIN WHO APPARENTLY ONLY SOUGHT TO LAY FOUNDATION FOR HIS DEFENSE PHASE. HE QUESTIONED THE AMBASSADOR ON HIS IMPRESSION OF LECHOCO'S RATIONALITY AND EMPHASIZED THE FACT THAT THE TWO DISCUSSED TARIFF AND TRADE MATTERS DURING THE PROTRACTED HOSTAGE SITUATION (WHICH WAS BROUGHT OUT IN DIRECT EXAMINATION). THE AMBASSADOR WAS FOLLOWED TO THE STAND BY MRS. BELLO (HIS SECRETARY) WHO DESCRIBED THE EVENTS OF THAT DAY WITH RESTRAINED EMOTION. CONSUL GENERAL CARMEN SEXTON FOLLOWED MRS. BELLO TO ESTABLISH THE APPOINTMENT MADE WITH THE AMBASSADOR FOR MR. LECHOCO AND OTHERS. NO CROSS-EXAMINATION WAS UNDERTAKEN OF EITHER MRS. BELLO OR MRS. SEXTON.

4. THE FINAL FILIPINO WITNESS WAS MARIO LAGDAMEO WHO TESTIFIED IN CRISP TONES TO HIS INVOLVEMENT WITH THE "GUNMAN", THE CIRCUMSTANCES OF HIS WOUNDING AND HIS TEN-HOUR ORDEAL DURING WHICH HE FEIGNED DEATH. IT WAS OBVIOUS THAT THE JURY SYMPATHIZED WITH MR. LAGDAMEO'S ORDEAL AND HE WAS BRIEFLY CROSS-EXAMINED BY STEIN AGAIN ON LECHOCO'S APPARENT RATIONALITY AND THE FACT OF THE DISCUSSIONS OF TARIFF MATTERS.

5. THE TRIAL WILL CONVENE AT 10 A.M. WEDNESDAY, JUNE 18, AT WHICH TIME THE PROSECUTION WILL PRESENT TESTIMONY BY THE DISTRICT POLICE, MOBILE CRIME LAB OFFICIALS, DEPUTY CHIEF RABE OF THE DISTRICT POLICE, (THE NEGOTIATOR WITH LECHOCO) AND VARIOUS OTHER POLICE WITNESSES. IT IS ASSUMED THAT THE GOVERNMENT WILL REST ITS CASE DURING THE LATE MORNING OR EARLY AFTERNOON AND, ASSUMING THAT STEIN HOLDS TO HIS INTENTIONS NOT TO CONTEST THE GOVERNMENT'S CASE ON THE FACTS, THE FINAL ARGUMENTS SHOULD BE MADE AND THE JURY CHARGED. GIVEN THE ACCURACY OF THESE ASSUMPTIONS, WE COULD HAVE A VERDICT ON THE INITIAL PHASE ON JUNE 18TH. THE DEFENSE PHASE ON THE ISSUE OF INSANITY WILL IMMEDIATELY ENSUE BEFORE THE SAME JURY. STEIN

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INDICATED DURING JURY SELECTION PROCESS THAT HE WILL CALL ONLY MEDICAL WITNESSES AND MRS. LECHOCO. HE APPARENTLY DOES NOT INTEND TO CALL NAPOLEON LECHOCO, JR. IT IS NOT ANTICIPATED THAT THE PROSECUTION WILL RECALL ANY EMBASSY WITNESSES BUT WILL CONFINE ITSELF TO REBUTTAL MEDICAL TESTIMONY. OF COURSE PROSECUTION WILL ARGUE THAT TESTIMONY OF EMBASSY WITNESSES WAS ELICITED DURING FIRST PHASE OF THE TRIAL TO ESTABLISH LECHOCO'S

CALCULATED AND RATIONAL BEHAVIOR. COLLINS INTENDS TO CALL ASSOCIATES OF LECHOCO AT PRINCE GEORGE COUNTY ATTORNEY'S OFFICE TO ESTABLISH HIS MOOD AND BEHAVIOR GENERALLY AND ON THE DAY OF THE EVENT. HE WILL ALSO POINT TO THE FACT THAT LECHOCO HAS CONTINUED IN THE COUNTY'S EMPLOY THROUGHOUT THIS AFFAIR.

6. A FINAL VERDICT COULD BE RENDERED BY THE END OF THIS WEEK BUT CERTAINLY NO LATER THAN EARLY DURING THE WEEK OF JUNE 23. EMBASSY WILL BE ADVISED IMMEDIATELY OF VERDICT.

7. SOLICITOR GENERAL MENDOZA ATTENDED LUNCHEON AT THE COURT HOUSE FOLLOWING THE AMBASSADOR'S TESTIMONY. HE DID NOT ATTEND ANY PORTION OF THE TRIAL. HE EMPHASIZED THAT HE WAS NOT HERE FOR THE PURPOSE OF ATTENDING THE TRIAL AND REFRAINED FROM EVEN LOOKING THROUGH THE DOOR OF THE CHAMBER DURING THE TESTIMONY OF THE AMBASSADOR. HE DESCRIBED TO LUNCHEON GUESTS SOME OF THE DETAILS OF HIS VISIT TO PEKING LAST WEEK AS A MEMBER OF PRESIDENT MARCO'S ENTOURAGE. THE LEGAL ADVISER, MR. MONROE LEIGH, WILL HOST A LUNCHEON THURSDAY, JUNE 19TH FOR THE SOLICITOR GENERAL AT THE DEPARTMENT. MENDOZA WILL ALSO CALL ON ASSISTANT SECRETARY HABIB THAT MORNING.

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